

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHRISTOPHER META, on behalf of himself)	CASE NO. 4:14-CV-0832
and all others similarly situated,)	
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
vs.)	
)	
TARGET CORPORATION, et al.,)	
)	
Defendants.)	
)	

**MOTION TO MODIFY BOND TO SECURE PAYMENT
OF COSTS AND ATTORNEYS' FEES ON APPEAL
(FED. R. APP. P. 7)**

Plaintiff moves the Court to modify the bond order against Objector Erich Neumann.

On September 24, 2018, the Court ordered Neumann and another Objector, Sheila Ference, to post an Appellate Rule 7 bond. ECF No. 188. Both Neumann and Ference had appealed the Court's approval of the class action settlement. The Court ordered that Ference and Neumann "to each contribute \$40,000.00 toward a total bond of \$80,000.00 to ensure payment of costs on appeal." *Id.* at PageID #: 9369.

Ference has since abandoned her appeal. *See* Doc. 31 in Case No. 18-3828 (6th Cir.). Because Ference has abandoned her appeal, Plaintiff asks the Court to modify its bond order and increase the amount of bond Neumann must post to \$80,000. As the Court stated in its order, the \$80,000 total covers the costs on appeal. Neumann only had to pay a lower amount, because there was another appeal. Now that he is the only one pursuing an appeal, Neumann should have to pay the entire \$80,000. To date, Neumann has not paid the \$40,000 the Court previously ordered him to

pay. A motion to dismiss his appeal for failure to pay bond is pending before the Sixth Circuit. *See* Doc. 24 in No. 18-3840 (6th Cir.).

Dated: October 30, 2018

/s/ Stuart E. Scott
DENNIS R. LANSDOWNE (0026036)
STUART E. SCOTT (0064834)
KEVIN C. HULICK (0093921)
SPANGENBERG SHIBLEY & LIBER LLP
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (FAX)
dlansdowne@spanglaw.com
sscott@spanglaw.com
khulick@spanglaw.com

HASSAN A. ZAVAREEI (pro hac vice)
JONATHAN K. TYCKO (pro hac vice)
ANDREW J. SILVER (pro hac vice)
TYCKO & ZAVAREEI LLP
1828 L Street, N.W., Suite 1000
Washington, D.C. 20036
(202) 973-0900
(202) 973-0950 (FAX)
hzavareei@tzlegal.com
jtycko@tzlegal.com
asilver@tzlegal.com

Attorneys for Plaintiff Christopher Meta and the Class

CERTIFICATE OF SERVICE

Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. A true and correct copy of the foregoing was served electronically on Defendants' counsel of record. Copies will be served on Objectors' counsel by electronic mail and/or U.S. Mail.

/s/ Stuart Scott
Stuart E. Scott